

FORM PTO-1390
(REV 11-98)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

1-14746

#1

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

09/423,534

INTERNATIONAL APPLICATION NO.	INTERNATIONAL FILING DATE	PRIORITY DATE CLAIMED
PCT/DE98/01316	12 May 1998 (12.05.98)	12 May 1997 (12.05.97)

TITLE OF INVENTION
DEVICE FOR MEASURING LIGHT-ACTIVATED FLUORESCENCE AND ITS USE

APPLICANT(S) FOR DO/EO/US MATTHIAS LAU

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. has been transmitted by the International Bureau.
 - c. is not required, as the application was filed in the United States Receiving Office (RO/US).
6. A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. have been transmitted by the International Bureau.
 - c. have not been made; however, the time limit for making such amendments has NOT expired.
 - d. have not been made and will not be made.
8. A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 16. below concern document(s) or information included:

11. An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
PTO-1619A-1619C
including a Designation of Domestic Representative by Assignee.
13. A FIRST preliminary amendment.
- A SECOND or SUBSEQUENT preliminary amendment.
14. A substitute specification.
15. A change of power of attorney and/or address letter.
16. Other items or information: Express Mail Certificates (2); return card;
 - Request for Refund for International Application Entering National Stage in U.S. Designated Office (DO/US) Under 35 USC 371 (with Express Mail Certificate)
 - Small Entity Statement for Independent Inventor
 - Statement by Non-Inventor Supporting a Claim by Another for Small Entity

12/20/1999 PVOLOPE 00000046 09423534
Status

01 FC:254

65.00 OP

U.S. APPLICATION NO. (if known, see 37 CFR 1.5)
09/423,534

INTERNATIONAL APPLICATION NO.

PCT/DE98/01316

ATTORNEY'S DOCKET NUMBER
I-14746

CALCULATIONS PTO USE ONLY

17. The following fees are submitted:**BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)) :**

Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO \$970.00

International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$840.00

International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$760.00

International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$670.00

International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4) \$96.00

ENTER APPROPRIATE BASIC FEE AMOUNT =

\$ -

Surcharge of \$130.00 for furnishing the oath or declaration later than 20 30 months from the earliest claimed priority date (37 CFR 1.492(e)).

\$ 130.00

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	
Total claims	- 20 =		X \$18.00	\$ -
Independent claims	- 3 =		X \$78.00	\$ -
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$260.00	\$ -
TOTAL OF ABOVE CALCULATIONS =				\$ 130.00
Reduction of 1/2 for filing by small entity, if applicable. A Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28). (copy attached originals filed with Request for Refund)				\$ 65.00
SUBTOTAL =				\$ 65.00
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$ -
TOTAL NATIONAL FEE =				\$ 65.00
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				+ \$ 40.00
TOTAL FEES ENCLOSED =				\$ 105.00
				Amount to be: refunded \$
				charged \$

a. A check in the amount of \$ 105.00 to cover the above fees is enclosed.

- b. Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.
- c. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 13-1816. A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:
 MARSHALL & MELHORN
 PHILLIP S. OBERLIN
 FOUR SEAGATE - 8TH FLOOR
 TOLEDO, OHIO 43604

Phone: (419) 249-7149
 Fax: (419) 249-7151

SIGNATURE:

PHILLIP S. OBERLIN

NAME

19,066

REGISTRATION NUMBER

December 14, 1999

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Certificate under 37 CFR 1.10 of Mailing by "Express Mail"

EL 424639346 US

December 14, 1999

"Express Mail" label number

Date of Deposit

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Kathleen J. Moore

Signature of person mailing correspondence

Kathleen J. Moore

Typed or printed name of person mailing correspondence

Note: Each paper must have its own certificate of mailing by "Express Mail".

MISSING REQUIREMENTS CONCERNING FILING UNDER
35 USC 371 IN THE UNITED STATES DESIGNATED/
ELECTED OFFICE (DO/EO/US)

USSN: 09/423,534

INT'L APPLN: PCT/DE98/01316 FILED 12 MAY 1998

TITLE: DEVICE FOR MEASURING LIGHT-ACTIVATED
FLUORESCENCE AND ITS USE

INVENTOR: MATTHIAS LAU

ASSIGNEE: MATTHIAS LAU AND UWE KIRSCHNER

ATTORNEY: MARSHALL & MELHORN

DOCKET NO: 1-14746

#3

Attorney's Docket No. 1-14746**IN THE UNITED STATES DESIGNATED OFFICE (DO/US)**

PCT/DE98/01316 12 May 1998 (12.05.98) 12 May 1997 (12.05.97)
 INTERNATIONAL APPLICATION NO. INTERNATIONAL FILING DATE PRIORITY DATE CLAIMED

DEVICE FOR MEASURING LIGHT-ACTIVATED FLUORESCENCE AND ITS USE

TITLE

MATTHIAS LAU

APPLICANT FOR DO/US

Box PCT
 Assistant Commissioner for Patents
 Washington, D.C. 20231

ATTENTION: DO/US

**REQUEST FOR REFUND FOR INTERNATIONAL APPLICATION
 ENTERING NATIONAL STAGE IN U.S. DESIGNATED OFFICE (DO/US)
 UNDER 35 USC 371**

I. SUBMISSION OF VERIFIED STATEMENT

(complete (a) or (b))

- (a) Attached ~~are~~ verified statements claiming small entity status in this application.
 (b) A verified statement claiming small entity status was filed in this application on _____.

II. REFUND REQUEST

This request for refund is made within two months of the date a fee was paid in this application on November 9, 1999, in the amount of \$ 840.00.

NOTE: The two-month period (§ 1.28(a)) is not extendible under 37 C.F.R. 1.136 because it is not a period for response. Notice of November 30, 1983, 49 FR 548, January 4, 1984.

CERTIFICATION UNDER 37 CFR 1.10

I hereby certify that this paper and the documents referred to as being transmitted therewith are being deposited with the United States Postal Service on this date December 14, 1999 in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number EL4246393461US addressed to the: Assistant Commissioner for Patents, Washington, D.C. 20231.

KATHLEEN J. MOORE

(type or print name of person mailing paper)

Signature of person mailing paper

WARNING: If this paper is filed in the Designated Office before actual entry into the national stage, then a certificate of mailing first class or facsimile transmission procedure under 37 CFR 1.8 cannot be used to obtain a date of mailing or transmission for this correspondence.

(Request For Refund (37 CFR 1.28(a)), For International Application Entering National Stage in U.S. Designated Office (DO/US) under 35 USC 371[13-9]—page 1 of 2)

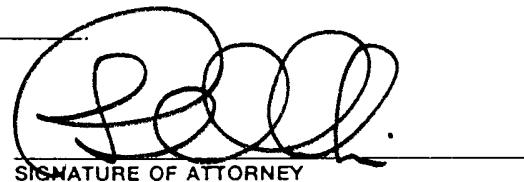
III. FEES PAID FOR WHICH REFUND REQUESTED

	AMOUNT OF REFUND REQUESTED
<input checked="" type="checkbox"/> Filing fee under 37 CFR 1.492	\$ 420.00
<input type="checkbox"/> Fees for claims under 37 CFR 1.492(b), (c) or (d)	-
<input type="checkbox"/> Surcharge for filing the oath or declaration on a date later than 20 months from the earliest priority date (37 CFR 1.492(e))	-
TOTAL REFUND REQUESTED	<u>\$ 420.00</u>

IV. MANNER OF REFUND

Please make refund by

- crediting Account No. 13-1816
 refunding overpayment.



SIGNATURE OF ATTORNEY

Reg. No.: 19,066

PHILLIP S. OBERLIN

(type or print name of attorney)

MARSHALL & MELHORN

FOUR SEAGATE - 8TH FLOOR

P.O. Address

TOLEDO, OHIO 43604

(Request For Refund (37 CFR 1.28(a)), For International Application Entering National Stage in U.S.
Designated Office (DO/US) under 35 USC 371[13-9]—page 2 of 2)